

REMARKS

In response to the Office Action mailed July 12, 2004 (“OA”), please enter the specified amendments and consider the following remarks. By this response, claims 1 and 6 are canceled without prejudice, and no new claims are added. Thus, claims 2-5 and 7-14 are now pending in this application.

In the Office Action, the Examiner has: (i) objected to the drawings under 37 C.F.R. § 1.83(a) as allegedly failing to show every feature specified in the claims; (ii) rejected claim 10 under 35 U.S.C. § 112, second paragraph, as allegedly failing to have sufficient antecedent basis for “the paddle wheel” recited in lines 1-2; (iii) rejected claims 1, 5, 6, 7 and 9 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,415,821 to Kamholz et al. (“Kamholtz”); (iv) rejected claims 4 and 14 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kamholz; and (v) indicated that claims 2, 3, 8 and 11-13 are allowable if rewritten in independent form, and that claim 10 would be allowable if rewritten to overcome the § 112 rejection.

Drawings/Associated Amendment to the Written Description

Replacement formal drawings (Figs. 1 and 2), reflecting the features identified as missing by the Office, are attached hereto. Support for new Figure 2 can be found in the Abstract, and in paragraphs [0015], [0016] and [0017]. Indeed, the new paragraphs added to the written description in connection with new Figure 2 were derived from these passages. Thus, Applicant submits that no new matter has been added with these amendments.

Claim Rejections – 35 U.S.C. § 112

Claim 10 stands rejected under 35 U.S.C. § 112, second paragraph, as allegedly failing to have sufficient antecedent basis for “the paddle wheel” recited in lines 1-2. Applicant has amended claim 10 to include the subject matter of claim 8, which includes antecedent basis for the “paddle wheel” language. In essence, claim 10 has been amended to depend from claim 8 (which, in turn, depends from claim 6); claim 10 has also been rewritten in independent form. Thus, Applicant submits that the instant rejection has been overcome.

Claim Rejections – 35 U.S.C. §§ 102 and 103

Claims 1, 5, 6, 7 and 9 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,415,821 to Kamholz et al. (“Kamholtz”). Claims 4 and 14 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kamholz.

Although respectfully disagreeing with the instant rejections, Applicant has canceled claims 1 and 6, without prejudice, in the interest of expediting prosecution and avoiding additional cost. With respect to these claims, Applicant respectfully submits that the rejections to claims 1 and 6 under 35 U.S.C. §§ 102 and 103 are therefore moot.

The remaining claims rejected here, claims 4, 5, 7, 9 and 14, have been amended to depend from claims indicated as allowable by the Office. Specifically, claims 4 and 5 have been amended to depend from allowed claim 2. Thus, Applicant submits that claims 4 and 5 are allowable for at least the same reasons as claim 2. Similarly, claims 7, 9 and 14 have been amended to depend from allowed claim 8. Thus, Applicant submits that claims 7, 9 and 14 are allowable for at least the same reasons as claim 8. Therefore, Applicant respectfully submits that the instant rejections to claims 4, 5, 7, 9 and 14 have been overcome.

Subject Matter Indicated to be Allowable

The Office has indicated: (1) that claims 2, 3, 8 and 11-13 would be allowable if rewritten in independent form, and (2) that claim 10 would be allowable if rewritten to overcome the § 112 rejection. Applicant has rewritten claims 2, 3, 8 and 11-13 in independent form. Further, claim 10 has been amended to overcome the § 112 rejection. Accordingly, Applicant submits that claims 2, 3, 8 and 10-13 are also in condition to issue immediately.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 50-1078.

Respectfully submitted,

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Attachments: **Tab 1 - 2 Replacement Sheets (Figures 1 and 2)**
Tab 2 - 2 Annotated Sheets showing changes (Figures 1 and 2)

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PATENT
Customer No. 22,852
Attorney Docket No. 10004024-2

AMENDMENTS TO THE DRAWINGS:

The attached sheets of drawings includes a new drawing, Figure 2. These sheets, which include Figures 1 and 2, replace original sheets (Figures) 1 and 2. Figure 1 has been amended only to identify that it is now 1 of 2 drawings, not 1 of 1.

Attachments: Replacement Sheets 1 and 2 (Figures 1 and 2)
Annotated Sheets 1 and 2 (Figures 1 and 2)

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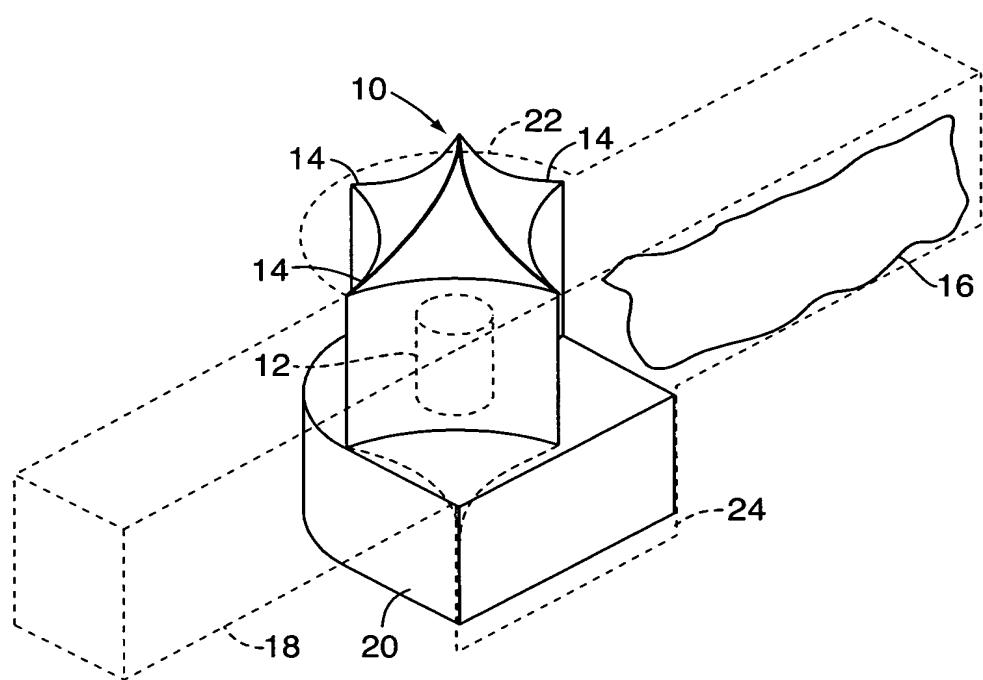


FIG. 1

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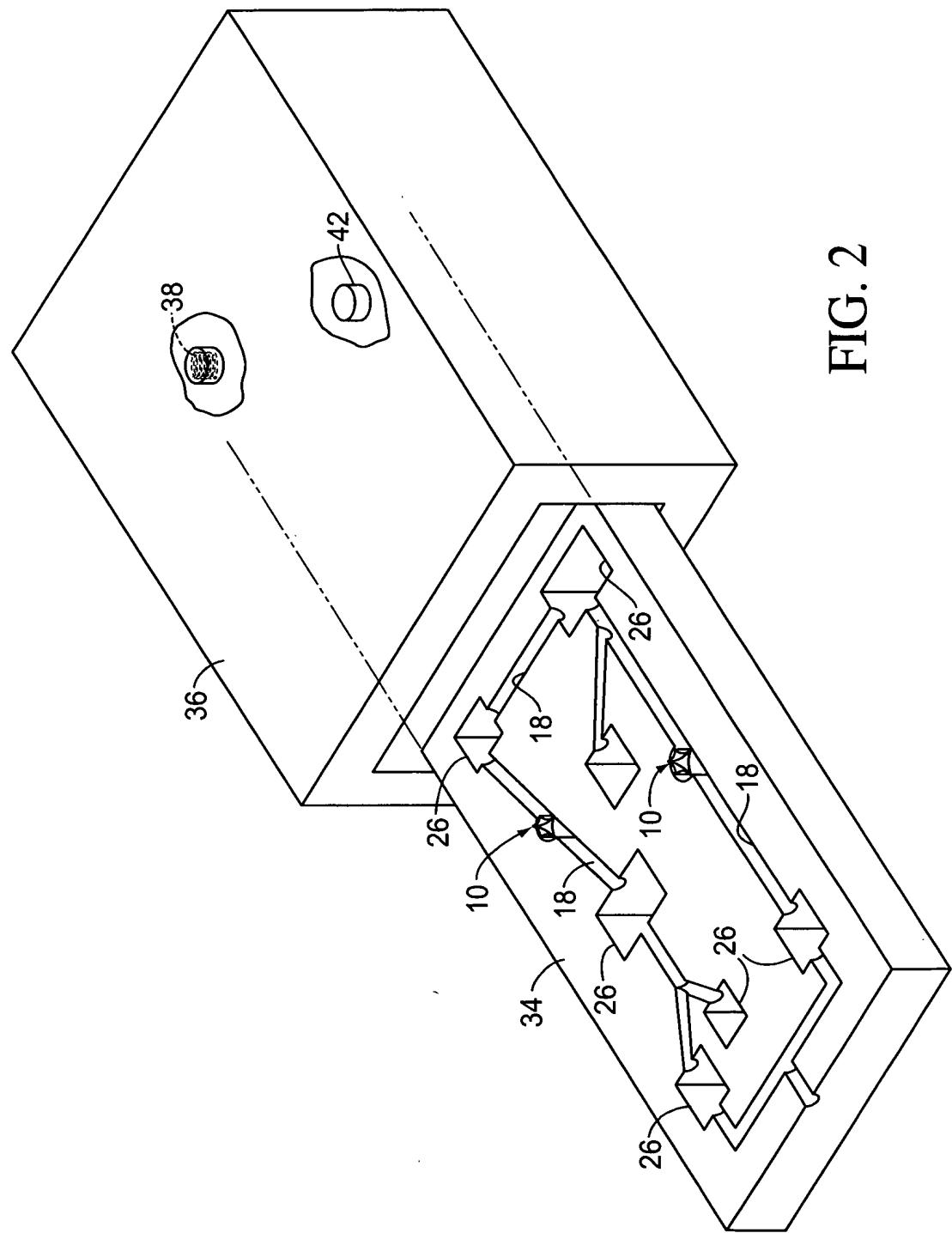


FIG. 2